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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,333	10/27/2003	Leo Kurkinen	11001.121	3864

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EXAMINER

TADESSE, YEWEBDAR T

ART UNIT PAPER NUMBER

1734

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,333

Applicant(s)

KURKINEN ET AL.

Examiner

Yewebdar T. Tadesse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 7-13 is/are rejected.
- 7) ☒ Claim(s) 1,3,4 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Claim 1 is objected to because of the following informalities: in the amended claim 1, line 1, the phrase "is intended" is replaced with the word "adapted". It appears to be a typographic error. For the purpose of examination --is adapted-- is assumed. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1-2, 5 and 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshinaga (US 5,650,011) in view of Baskett (US 3,200,656).

As to claims 1-2 and 7-10, Yoshinaga discloses (see Figs 1-4 and column 2, lines 16-21) a coating station (apparatus 10) for coating a web produced with a forming machine (elongated fabric, a plastic film and a metal sheet) with a selected coating material (liquid) comprising a frame extending substantially across the entire width of the web (see Fig 2, for the load-bearing cross-directional frame) and applicator elements (dies 12,14) supported to the frame for applying the coating material to the surface of the web (W) arranged to pass through the coating apparatus, wherein the frame is arranged by at least one cross component (see Fig 2 for parts of the frame structure or bars extending across the width of the web on each side, unnumbered, connected to items 42) formed into a box type structure (this extending bars have box-type shape), the cross component extending substantially the entire width of the web and the end components of each cross component at its end parts (see Fig 2, the end components of these bars or parts of the frame). Yoshinaga lacks teaching at least one cross component of a box-type structure formed of a plurality of sheet metal cells and one of the end components formed out of sheet metal to which the cross component attached by its end part. However a coating device having frame structures or parts with made of a plurality of sheet metal cells is known in the art; for instance, Baskett (US 3,200,656) discloses (see column 2, lines 7-12) a mounting apparatus of a coating device comprising an elongated frame 10 having cells (a hollow, pole-like structure with a partition 12) made of sheet metal (capable of being laser-cut or welded and having

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thickness 0.5-5 mm or 1-3 mm) and end components 14,16 attached with screw connection or similar (clamps 112 and nuts 114). It would have been obvious to one of ordinary skill in the art at the time the invention was made to form cross components of a coating apparatus out of metal sheet or a plurality of sheet metal cells with end components attached to the end parts of the cross components to reduce weight.

As to claim 5, in Yoshinaga the number of cross components is 2 (in the range of 1-4 or 1-5).

With respect to claim 11, in Yoshinaga the applicator elements are non-contacting and comprising two nozzle units including nozzles adapted to extend from inside the frame to the web side of the cross component for spraying the coating material onto the surface of the web (extending outlet ports 56 having discharge ports 60 for forcing the coating material onto the surface of the web).

As to claim 12, it is obvious to duplicate parts for multiplied effect and it is also within the arts of the invention to arrange nozzle units in the desired position for maintenance or operational purpose.

With respect to claim 13, In Yoshinaga the coating station comprises two substantially similar frame structures that include applicator elements (dies 12,14) and the frame structures being set opposed to and at an interval from each other and the web passes between the structures for coating simultaneously both surfaces of the web (see Figures 1-4 and column 1, lines 5-8).

Allowable Subject Matter

5. Claim 3-4 and 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Prior art of record does not disclose or suggest a coating station comprising, among others, wherein at least one conduit extending across the at least one cross component is arranged inside the at least one cross component of a box-type structure formed of a plurality of sheet metal cells.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Georgii (US 4,673,453) discloses (see column 1, lines 56-66) a structural body made of laser cut metal sheets having thickness between 0.7 and 1.0 mm.

Response to Arguments

8. Applicant's arguments with respect to claims 1-2, 5 and 7-15 have been considered but are moot in view of the new ground(s) of rejection. As to applicants' argument that in Yoshinaga a frame having at least one cross component and end components, as shown in Fig 2 Yoshinaga shows a frame structure supporting the applicator (12, 14) comprising cross components (parts of the frame structure or bars extending across the width of the web on each side, unnumbered, connected to items

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42). Regarding the cross components of a box-type structure formed of a plurality of sheet metal cells, Baskett discloses a frame having a hollow pole-like structure made of sheet metal (see Rejection above).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., applicator elements attached at their ends to end components; each nozzle unit including a plurality of nozzles arranged in a row) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM-4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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